

**State of Florida  
Department of Transportation**



**INVITATION TO BID  
Aluminum Work Boat 24 Feet**

**ITB-DOT-17/18-9013-KW**

**CONTACT FOR QUESTIONS:**

Katie Wagner, Procurement Agent

[katie.wagner@dot.state.fl.us](mailto:katie.wagner@dot.state.fl.us)

605 Suwannee Street – MS 20

Tallahassee, Florida 32399-0450

Phone: (850) 414-4956

**EFFECTIVE DATES**

**September 20, 2017- September 19, 2019**

**VENDOR**

Scully's Aluminum Boats

**CONTRACT NO.**

CR8981

**FLORIDA DEPARTMENT OF TRANSPORTATION  
EQUIPMENT SPECIFICATION**

Specification Number: **FC9330**

Unit of Equipment: Aluminum Work Boat 24 feet

Date: **July 18, 2017**

**BID SHEET**

**VENDOR NAME:** Scully's Aluminum Boats **FEID#:** 47-0892068

**PRICE PER UNIT DELIVERED TO ANY FDOT LOCATION IN FLORIDA.**

**ALUMINUM WORK BOAT, PER SPECIFICATIONS FC9330**

**ITEM 1:** Base price of Aluminum Work Boat and trailer with rigging for engine \$ 53,755.00

Manufacturer and model number of Aluminum Work Boat and trailer: Scully's, 2484DVWB2

**ITEM 2:** Price of outboard motor required (QTY 2): \$ 25,900.00

Manufacturer and model of boat motor: Yamaha F150XB

Delivery 30 days after receipt of order.

## **ORDERING INSTRUCTIONS**

Bid Number: ITB-DOT-17/18-9013-KW

Title: Aluminum Work Boat 24 Feet

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEID): 47-089268-002

VENDOR: Scully's Aluminum Boats

ADDRESS: 1015 Stephenville Rd.

CITY, STATE, ZIP: Morgan City, LA 70380

TELEPHONE: (985) 385-1323

TOLL FREE NO.: (866)-238-8353 FAX NO.: (985) 384-5146

DELIVERY: DELIVERY WILL BE MADE WITHIN 30 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Shane Scully Secretary

ADDRESS: 1015 Stephenville Rd.

CITY, STATE, ZIP: Morgan City, LA 70380

TELEPHONE: (985) 385-1323 ext. 102

TOLL FREE NO.: (866)-238-8353 FAX NO.: (985) 384-5146

INTERNET E-MAIL ADDRESS: shane@scullyfab.com

INTERNET WEBSITE URL: www.scullyboats.com

Will you accept the State of Florida Purchasing Card (VISA)? Yes X No

# FLORIDA DEPARTMENT OF TRANSPORTATION EQUIPMENT SPECIFICATION

Specification Number: FC9330

Date: July 18, 2017

Unit of Equipment: Aluminum Work Boat 24 feet

**ATTENTION PROSPECTIVE BIDDERS:** In order for your bid on this equipment to be considered, all questions in this specification must be answered and all information asked for must be supplied. Incomplete or inappropriate (i.e., responding "yes" or "no" when specific information is asked for) responses will result in your bid being rejected.

- 1.0 INTENT:** The intent of this specification is to provide minimum procurement requirements for an aluminum work boat to perform maintenance activities on bridges and perform underwater dive operations. The unit will be a completely finished, integrated, turnkey boat, with engines, mounted on a boat trailer and performance tested by the vendor.

Make: Scully's, Model: 2484DVWB2

Make and Model of boat Bid?

- 1.1 QUALIFICATION OF MANUFACTURE AND MODEL:** The unit required and covered by this specification shall be the manufacturer's latest basic production model and shall be equipped with all standard equipment in accordance with the manufacturer's latest literature, two (2) copies of which must accompany the bid. No prototypes are allowed. The unit bid must have basically been in production for a minimum of one (1) year.

Yes

Comply? (Yes/No)

This contract will not be awarded until the FDOT is satisfied that the equipment proposed will meet the specification in every way. This may require interviews, documented proof, an equipment demonstration and inspection at an FDOT location of our choosing, or any combination of the above. Prospective suppliers will be expected to be fully cooperative with providing any reasonable evidence of specification compliance by the above methods. A maximum of 30 days between bid opening and contract award may be required for this process. After contract award, specification compliance will be reconfirmed by inspection, documentation, and demonstration when the unit is delivered, prior to acceptance. (See **Section 6.0**)

Yes

Understand and acknowledge? (Yes/No)

**1.2 DEFINITIONS:**

- 1.2.1 "Approved Equivalent"** must be approved prior to bid opening. If this has not been accomplished by bid opening time, your bid will be rejected. The FDOT assumes no responsibility for responding to requests for approval of alternates in time for bid opening, as a technical evaluation frequently must be performed. Therefore, bidders are cautioned that quoting of the components listed may be advisable if lead time is short.

Note: Inadvertent acceptance of previous bids with alternate components shall not be construed as FDOT approval of such alternate components.

Yes

Understand and Acknowledge? (Yes/No)

# FLORIDA DEPARTMENT OF TRANSPORTATION EQUIPMENT SPECIFICATION

Specification Number: FC9330

Date: July 18, 2017

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- 1.2.2 Manufacturer's model numbers:** When a manufacturer's model number is stated, it is understood that design changes to the stated model by the manufacturer are not subject to the control of the FDOT and that the intent is to procure an item substantially identical to that version last procured by, demonstrated to, or otherwise brought to the attention of the FDOT. It is explicitly understood that it is the responsibility of the bidder to notify the FDOT of any changes of consequence. Please contact the person named on the bid documents for information regarding the last model for which information is on record with the FDOT bid evaluators.

Yes

Understand and Acknowledge? (Yes/No)

- 1.2.3 "Heavy Duty":** This term means that the design and construction of the item is sufficiently rugged and has adequate safety factors to stand up to the sort of use typically expected to be experienced by FDOT drivers/operators without structural or functional failure or other consequences such that the item causes or will probably cause excessive down time. The Mechanical Equipment Engineer or the Equipment Coordinator may accept or reject items bid based on their judgment of compliance with this provision without the necessity for a field trial, or may require testing and verification at his discretion.

Yes

Understand and Acknowledge? (Yes/No)

- 1.2.4 "Per spec":** Whenever a specification such as SAE, OSHA, or FED-STD, US Coast Guard (but not limited to those) is referred to, the latest version as of the date of bid opening is the version to be used. If an update takes place between the time of bid opening and equipment delivery, the successful bidder and the FDOT will mutually agree in writing on which version shall prevail unless there are statutory requirements that the new version be used.

Yes

Understand and Acknowledge? (Yes/No)

- 2.0 TRAILER:** The successful bidder will provide to the Department a trailer suitable to tow the boat with engines and provisions necessary for the proper operation of the boat. Bidder shall supply in the bid package information of proposed trailer. Bidder shall supply information such that the resulting boat and trailer combination will be capable of 65mph on a level pavement. The combined cost of the boat and trailer will be considered for bid award.

Make: Magic Tilt, Model: TC2682

Make and Model of trailer Bid?

## FLORIDA DEPARTMENT OF TRANSPORTATION EQUIPMENT SPECIFICATION

Specification Number: **FC9330**

Date: **July 18, 2017**

Unit of Equipment: **Aluminum Work Boat 24 feet**

- 3.0 BOAT:** The boat shall consist of a deep v-bottom work boat made of 5086 aluminum alloy metal. The boat shall conform to the requirements of this specification and the latest U.S. Coast Guard regulations, and all other applicable specifications and regulations.

Yes

Understand and Acknowledge? (Yes/No)

- 3.1 Hull:** The hull length shall be twenty four (24) feet, minimum and the beam shall be eight (8) feet, wide minimum.

24'

Boat hull length? (ft.)

3"

Boat beam length? (ft.)

- 3.1.2** Bottom shall be manufactured of one quarter (1/4") inch, minimum 5086 aluminum alloy plate with a seven (7) feet, wide deep V.

1/4"

5086 aluminum plate thickness? (in.)

7'

Width of deep V? (in.)

- 3.1.3** Four required Lifting strakes (2) per side welded solid. Installed in such a way to create an air lift performance ride.

Yes

Comply? (Yes/No)

- 3.1.4** Two required inverted chines One port, one starboard twelve (12) feet, from transom.

Yes

Comply? (Yes/No)

- 3.1.5** Two (2) inch by Two (2) inch by three eights (3/8) inch, angle installed inverted over keel welded solid down center line.

Yes

Comply? (Yes/No)

- 3.1.6** Side: Three sixteen (3/16) inch, minimum plate of 5086 aluminum alloy, and thirty six (36) inch, minimum height with two corrugations, with side frames.

3/16"

5086 aluminum plate thickness? (in.)

36"

Side height? (in.)

# FLORIDA DEPARTMENT OF TRANSPORTATION EQUIPMENT SPECIFICATION

Specification Number: FC9330

Date: July 18, 2017

Unit of Equipment: Aluminum Work Boat 24 feet

- 3.1.7 Deck: The deck shall be three sixteen (3/16) inch, minimum tread plate of 5086 aluminum alloy, six (6) feet minimum in length. Install a Bair quick acting single lever Four dog Water tight hatch, for front deck storage.

<u>3/16"</u>	<u>6'</u>
5086 aluminum tread plate thickness? (in.)	Deck length? (ft.)

- 3.1.8 Longitudinal Frames: Provide four (4) inch by three eights (3/8) inch, minimum flat bar keel and two flange plates girders bow to stern, coped and welded to transverse frames.

Yes  
Comply? (Yes/No)

- 3.1.9 Transverse Frames: Provide three (3) inch, I-Beam spaced on fourteen (14) inch, centers minimum, welded together to longitudinal frames at all intersections. Two (2) inch by two (2) inch by three sixteen (3/16) inch, tubing spaced on fourteen (14) inch, centers minimum. Cut gusset brackets of one fourth (1/4) inch, plate to tie ends of bottom and double bottom frames together.

Yes  
Comply? (Yes/No)

- 3.1.10 Transom: Provide one fourth (1/4) inch, minimum plate 5086 aluminum alloy reinforced with four (4) inch, minimum channel.

Yes  
Comply? (Yes/No)

- 3.1.11 Gunnel Cap: Provide one run of three (3) inch, minimum D rubber outside surrounding perimeter. Provide ten (10) inch, minimum wide tread plate with a two (2) inch, minimum flange.

Yes  
Comply? (Yes/No)

## FLORIDA DEPARTMENT OF TRANSPORTATION EQUIPMENT SPECIFICATION

Specification Number: **FC9330**

Date: **July 18, 2017**

Unit of Equipment: **Aluminum Work Boat 24 feet**

- 3.1.12 Double Bottom:** Provide a three sixteen (3/16) inch, minimum tread plate, from forward deck to transom fourteen (14) inch, minimum from transom as a solid plate is installed for a sump bilge area of approximately thirty (30) gallons, minimum. The double bottom must run to the transom and tested to a twenty one (21) bar, air tightness.

Yes  
Comply? (Yes/No)

- 3.1.13 Console:** Provide an aluminum center console forty (40) inch, minimum wide, on three sixteen (3/16) inch, minimum plate with three sixteen (3/16) inch, minimum plate aluminum.

Yes  
Console width? (in.)

- 3.1.14 Captains Seats:** Provide one eight (1/8) inch, aluminum seat-dry storage box forty (40) inch, minimum long by eighteen (18) inch, minimum tall by twenty (20) inch, minimum deep, with bottom cushion.

Yes  
Comply? (Yes/No)

- 3.1.15 Fuel Tank:** Provide one – eighty (80) gallon, aluminum fuel tank bolted thru console. Fuel tank and fuel system must meet EPA evaporation standards. Must be EPA certified components and comply with U.S. Coast Guard 33 CFR 183.510 and American Boat and Yacht Council ABYC H-24 standards.

Yes  
Comply? (Yes/No)

- 3.1.16 Fuel System:** Provide one Tempo inline one way valve, water separator (canister style) One Teleflex fuel gauge.

Yes  
Comply? (Yes/No)

- 3.1.17 All wiring installed by builder must be marine rated multi strand, double insulated copper wiring with rubber grommets at all intersections of metal and wiring.**

Yes  
Comply? (Yes/No)

- 3.1.18 Splash Well:** Provide splash well from transom extending twenty eight (28) inch, minimum across the stern.

Yes  
Comply? (Yes/No)

- 3.1.19 Engine Guardrail:** Provide engine guardrail constructed of two (2) inch, schedule eighty (80) pipe, with a ten (10) inch wide surface tread plate perimeter. The rear section must be removable.

Yes  
Comply? (Yes/No)

## FLORIDA DEPARTMENT OF TRANSPORTATION EQUIPMENT SPECIFICATION

Specification Number: **FC9330**

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Unit of Equipment: **Aluminum Work Boat 24 feet**

- 3.1.20 Push Knees:** Provide heavy duty four (4) inch, minimum face, solid rubber bumper push knee. With Three (3) stainless steel bolts thru the rubber and aluminum on each knee. The bottom of push knee must be parallel to the bottom of boat with reinforcement stiffeners install inside of knees.

Yes

Comply? (Yes/No)

- 3.1.21 Mooring cleats / lifting cleats:** Provide four (4) passes thru gunnel cap and welded to the side of boat for lifting. Location on the boat haul - bow two (2) and transom two (2).

Yes

Comply? (Yes/No)

- 3.1.22 Battery and Battery Switch:** Provide two (2) deep cycle marine batteries, 12V - 900 amps and two (2) Perko 1, 2, all, Off battery switch. The Battery and Battery Switch to be located in the center console.

Yes

Comply? (Yes/No)

- 3.1.23 Running Lights:** Provide Perko side mount running lights with stainless steel housing. Attwood twenty four (24) inch, all around stowaway stern light. Blue sea six gang switch panel, fused. Six gang fuse buss bar. Six Gang Ground buss bar.

Yes

Comply? (Yes/No)

- 3.1.24 Bilge Pump:** Provide a Rule 2000 GPH. 12V automatic bilge pump, stainless thru hull fitting and hose.

Yes

Comply? (Yes/No)

- 3.1.25 Horn:** Provide Marinco single trumpet horn, stainless.

Yes

Comply? (Yes/No)

- 3.1.26 Steering:** Provide Sea-star hydraulic steering for Dual engines, with stainless steering wheel with swivel knob, stainless steel tie bar, two hydraulic rams.

Yes

Comply? (Yes/No)

- 3.1.27 Trim Tabs:** Provide Electro Marine Electric Trim Tabs, with rocker switches.

Yes

Comply? (Yes/No)

- 3.1.28** Provide a Bimini top Sunbrella Top 5-3500 Gray in color and 79-84" wide by 72" long to fold down. To be install on the center of the boat.

Yes

Comply? (Yes/No)

# FLORIDA DEPARTMENT OF TRANSPORTATION EQUIPMENT SPECIFICATION

Specification Number: FC9330

Date: July 18, 2017

Unit of Equipment: Aluminum Work Boat 24 feet

## 4.0 ENGINES:

- 4.1 **ENGINES:** The successful bidder will provide to the Department outboard engines rated for the boat with provisions necessary for the proper operation of the boat. Bidder shall supply in the bid package price and information of proposed outboard engines. Bidder shall supply information such that the resulting boat and outboard engines combination will be rated for the proper safe operation of the boat. The combined cost of the boat and outboard engines will be considered for bid award.

Make: Yamaha, Model: F150XB

2, 150 Hp

Engines make and model?

Number of engines? Horse Power? (hp)

- 4.2 Provide outboard engine rigging even if the engines are not procured from boat vendor.

Yes

Comply? (Yes/No)

- 5.0 **PAINTING:** The boat and trailer will be aluminum finish surface suitable for long-term exposure to the Florida environment. All surfaces shall be ground smooth with welding slag, burrs, and sharp edges removed.

Yes

Comply? (Yes/No)

- 6.0 **CONDITIONS:** Terms and conditions set forth in the bid documents will overrule this specification when there is disagreement between the specification and bid documents.

## 6.1 DELIVERY AND ACCEPTANCE:

- 6.1.1 Regardless of the destination specified on the Purchase Order, the first item procured under this specification shall be delivered to the FDOT Midway Maintenance yard, 0.1 mile north of I-10 and Highway 90 west, Tallahassee, Florida. The person(s) named at the end of this specification shall be notified of this delivery 7-10 calendar days in advance. Following delivery, the unit will be thoroughly inspected for compliance with these specifications. Items found to not be in compliance will be corrected by supplier and brought into compliance before final acceptance. The unit will then be taken by the supplier to the Purchase Order destination. All subsequent units will be inspected under the same terms at their Purchase Order destinations.

Yes

Comply? (Yes/No)

- 6.1.2 Failure of FDOT personnel to discover defects during an inspection does not relieve the vendor from responsibility for correcting areas of non-compliance found after delivery on the inspected unit.

Yes

Understand and Acknowledge? (Yes/No)

# FLORIDA DEPARTMENT OF TRANSPORTATION EQUIPMENT SPECIFICATION

Specification Number: FC9330

Date: July 18, 2017

Unit of Equipment: Aluminum Work Boat 24 feet

**6.1.3 PREPARATION FOR DELIVERY:** The unit shall be properly serviced, clean, and in first class operating condition upon delivery. Pre-delivery service shall include, but not limited to, the following:

- a) Complete lubrication of operating mechanisms with OEM recommended lubricants.
- b) Check of all fluid levels and adjustments as required.
- c) Thorough cleaning of boat, engines, and trailer unit and removal of all unnecessary tags, stickers, etc.
- d) Perform safety check upon completed assembly of boat, engines, and trailer unit.

Yes

Comply? (Yes/No)

**6.2 STANDARDS:**

**6.2.1** The unit shall comply with all United State Coast Guard, Motor Vehicle Safety Standards as established by the U. S. Department of Transportation, all safety requirements of the latest issues of ANSI Standards and OSHA Standards, and all other Federal and State of Florida legal requirements and safety standards.

Yes

Comply? (Yes/No)

**6.3 DOCUMENTATION:**

**6.3.1** Bidders must submit two (2) copies of current manufacturer's data to substantiate compliance with the specifications, and a list of dealers in or near Florida.

Yes

Comply? (Yes/No)

**6.4 MANUALS:**

**6.4.1** The vendor will provide two (2) manufacturer's operator manuals and two (2) each lubrication/maintenance manuals and two (2) repair/parts manuals to be delivered with each unit.

Yes

Comply? (Yes/No)

**6.4.2** The vendor shall ensure that all service bulletins, recall notices, and/or other service or maintenance information for the reasonable life of the equipment supplied are sent to the FDOT shop to which the unit is assigned.

Yes

Comply? (Yes/No)

## FLORIDA DEPARTMENT OF TRANSPORTATION EQUIPMENT SPECIFICATION

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- 6.4.3** The vendor will provide a checklist for periodic preventive maintenance suitable for reproduction on 8 ½ inch by 11-inch paper.

Yes  
Comply? (Yes/No)

- 6.4.4** The vendor will provide a copy of all warranty (or warranties) information applicable to this unit.

Yes  
Warranty information compliance? (Yes/No)

**7.0 TRAINING:**

**7.1 PERSONNEL TRAINING:**

- 7.2.1** The services of a factory technician or technicians, thoroughly trained in the use and operation of the unit, shall be furnished for a period of not less than two (2) days, to instruct personnel in the use, operation and maintenance of the unit after delivery. This is to be done at the delivery location on the Purchase Orders.

Yes  
Comply? (Yes/No)

**8.0 WARRANTY:**

- 8.1** The vendor shall warrant all components of its manufacture and design for a minimum of two (2) years following the date of acceptance and will replace to the FDOT any part found to be faulty in manufacture, design or workmanship. The warranty shall include parts and labor for the first year at the delivery location or at the supplier's service location in Florida, at the option of the FDOT. After one (1) year, labor will be included only at the vendor's service location.

Yes  
Comply? (Yes/No)

## FLORIDA DEPARTMENT OF TRANSPORTATION EQUIPMENT SPECIFICATION

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- 8.2** Components not of the vendor's design and manufacture, with exception of the engines, are subject to the OEM warranty. In any case all warranties must be for at least one (1) year. Dates of warranties are to be the date of acceptance by FDOT. The successful bidder shall act as FDOT's agent regarding any warranty claim on OEM warranted components.

Yes  
Comply? (Yes/No)

**9.0 OPTIONS:**

- 9.1** May or may not be purchased at discretion of the FDOT. Option price will not be considered as basis of award. It is recognized that not all bidders offer all options listed; there is no penalty for not bidding an option. It is also recognized that some bidders may offer optional features which are standard equipment with others. List all prices and deliveries cost that apply on price sheet.

Yes  
Understand and Acknowledge? (Yes/No)

**NOTE:** Specification problems, questions, or comment:  
Problems, questions, or comments regarding this specification must be submit to the Procurement Office in writing FAX (850) 414-4951 a minimum of 10 days prior to bid opening

Procurement Agent  
Florida Department of Transportation  
605 Suwannee Street, MS 20  
Tallahassee, Florida 32399-0450

Yes  
Understand and Acknowledge? (Yes/No)

# INTRODUCTION SECTION

## 1) INVITATION

The purpose of this Invitation to Bid is to obtain competitive bids to establish a two (2) year contract for the purchase of Aluminum Work Boat 24 Feet by the Department of Transportation, hereafter referred to as the "Department". The contract will become effective on the date the successful bidder(s) is approved for award and will expire two (2) year from that date. After the award, said bidder(s) will be referred to as the "Vendor(s)".

All commodities identified in this Invitation to Bid will be subject to the availability of identical commodities as provided by mandatory Department of Management Services' State Contract(s) at such time these commodities become available. In the event of duplication(s) of commodities, the Department of Management Services' mandatory State Contract shall prevail.

## 2) TIMELINE

Provided below is a list of critical dates and actions. These dates are subject to change. Notices of changes (Addenda) will be posted on the Florida Vendor Bid System at [www.myflorida.com](http://www.myflorida.com) (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", click on "Search Advertisements") under this bid number. It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting your bid.

<u>ACTION / LOCATION</u>	<u>DATE</u>	<u>LOCAL TIME</u>
<b>DEADLINE FOR TECHNICAL QUESTIONS -</b> (There is no deadline for administrative questions)	<b>08-24-2017</b>	<b>5:00 PM</b>
<b>BIDS DUE (ON OR BEFORE) -</b> Florida Department of Transportation Central Procurement Office, Room 439 Attn: Cassandra Anderson 605 Suwannee Street, MS 20 Tallahassee, Florida 32399-0450 Phone: (850) 414-4479	<b>09-01-2017</b>	<b>2:00 PM</b>
<b>PUBLIC OPENING -</b> Florida Department of Transportation Central Procurement Office 605 Suwannee Street, MS 20 Tallahassee, Florida 32399-0450	<b>09-01-2017</b>	<b>2:00 PM</b>
<b>POSTING OF INTENDED DECISION/AWARD -</b>	<b>09-11-2017</b>	<b>05:00 PM</b>

## 3) BID OPENING AGENDA

The sealed bids will be opened by the Department's Procurement Office personnel at the date, time and location in the Timeline. All bid openings are open to the public and will be conducted according to the following agenda:

Opening remarks – Approximate time of 2 minutes by Department Procurement Office personnel.

Public input period – To allow a maximum of 15 minutes total for public input related to the bid solicitation.

Bids opened – At conclusion of public input or 15 minutes, whichever occurs first, bids received timely will be opened with bidder's name and prices to be read aloud.

Adjourn - After all bids received timely have been opened, the meeting will be adjourned.

#### **4) SPECIAL ACCOMMODATIONS**

Any person with a qualified disability requiring special accommodations at a pre-bid conference, public meeting, and/or opening shall contact the contact person at the phone number, e-mail address or fax number provided on the title page at least five (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services which can be reached at 1 (800) 955-8771 (TDD).

#### **5) CONTRACT USE**

Use of the contract resulting from this bid will be optional for the Department. The Department reserves the right to solicit separate bids for any unusual or abnormal quantity requirements that may arise during the term of the contract.

#### **6) ESTIMATED PURCHASES**

It is anticipated that the Department will purchase approximately \$40,000.00 under any contract resulting from this bid. This estimated amount is given only as a guideline for preparing your bid and should not be construed as representing an actual amount to be purchased under this contract. The Vendor(s) shall supply, at bid prices, the actual amounts ordered regardless of whether the total of such amounts is more or less than anticipated. This bid and the resulting contract will be subject to annual appropriated funding.

#### **7) RENEWAL**

Upon mutual agreement, the Department and the Contract Vendor may renew the contract for a period that may not exceed 3 years or the term of the original contract, whichever is longer. The renewal must be in writing and signed by both parties, and is subject to the same terms and conditions set forth in the initial contract and any written amendments signed by the parties. Any renewal shall specify the renewal price, as set forth in the solicitation response except that an agency may negotiate lower pricing. Renewal is contingent upon satisfactory performance evaluations and subject to the availability of funds.

## **SPECIAL CONDITIONS**

#### **1) MyFloridaMarketPlace**

BIDDERS MUST BE ACTIVELY REGISTERED IN THE STATE OF FLORIDA'S MYFLORIDAMARKETPLACE SYSTEM BY THE TIME AND DATE OF THE BID OPENING OR THEY MAY BE CONSIDERED NON-RESPONSIVE (see Special Condition 21). All prospective bidders that are not registered should go to <https://vendor.myfloridamarketplace.com/> to complete on-line registration, or call 1-866-352-3776 for assisted registration.

All payment(s) to the vendor resulting from this competitive solicitation **WILL** be subject to the MFMP Transaction Fee in accordance with the referenced Form PUR 1000 General Contract Condition #14. However, all vendors should be aware, that effective July 1, 2016 through June 30, 2017, in accordance with House Bill 5003 Sec.73, the Transaction Fee will be seven-tenths of one percent (.70%) of the payment issued. The Transaction Fees imposed shall be based upon the date of issuance of the payment.

## 2) **Florida Department of Financial Services (DFS) W-9 REQUIREMENT**

The Florida Department of Financial Services (DFS) requires all vendors that do business with the state to submit an electronic Substitute Form W-9. Vendors must submit their W-9 forms electronically at <https://flvendor.myfloridacfo.com> to receive payments from the state. Contact the DFS Customer Service Desk at (850) 413-5519 or [FLW9@myfloridacfo.com](mailto:FLW9@myfloridacfo.com) with any questions.

## 3) **QUESTIONS & ANSWERS**

In accordance with section 287.057(23), Florida Statutes, respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

Any technical questions arising from this Invitation to Bid must be forwarded, in writing, to the procurement agent identified below. Questions must be received no later than the time and date reflected on the Timeline. The Department's written response to written inquiries submitted timely by bidders will be posted on the Florida Vendor Bid System at [www.myflorida.com](http://www.myflorida.com) (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", click on "Search Advertisements"), under this bid number. It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting their bid.

**WRITTEN TECHNICAL QUESTIONS** should be submitted to:

**Katie Wagner** [katie.wagner@dot.state.fl.us](mailto:katie.wagner@dot.state.fl.us), 605 Suwannee Street, MS 20, Tallahassee, Florida 32399-0450.

Questions regarding administrative aspects of the bid process should be directed to the Procurement Agent in writing at the address above or by phone: (850) 414-4956

## 4) **ORAL INSTRUCTIONS / CHANGES TO THE INVITATION TO BID (ADDENDA)**

No negotiations, decisions, or actions will be initiated or executed by a bidder as a result of any oral discussions with a State employee. Only those communications which are in writing from the Department will be considered as a duly authorized expression on behalf of the Department.

Notices of changes (Addenda) will be posted on the Florida Vendor Bid System at [www.myflorida.com](http://www.myflorida.com) (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", click on "Search Advertisements") under this bid number. It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting your bid. All Addenda will be acknowledged by signature and subsequent submission of Addenda with bid when so stated in the Addenda.

## 5) **DIVERSITY ACHIEVEMENT**

The Department, in accordance with ***Title VI of the Civil Rights Act of 1964, 42 USC 2000d- 2000d-4, Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21***, Nondiscrimination in federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that the Department will affirmatively ensure that in any contract/agreement entered into pursuant to this advertisement, minority and disadvantaged business enterprises will be afforded the full opportunity to submit bids in response to this invitation and will not be discriminated on the basis of race, color, national origin, or sex in

consideration for an award.

The Department encourages the recruitment and utilization of small, minority, women, and service-disabled veteran businesses. The Department, its vendors, suppliers, and consultants should take all necessary and reasonable steps to ensure that small, minority, women, and service-disabled veteran businesses have the opportunity to compete for and perform contract work for the Department in a nondiscriminatory environment.

## **6) PRICES/DELIVERY**

Prices shall be firm, net, delivered prices, F.O.B. destination.

Delivery must be made within thirty (30) calendar days or less upon receipt of a purchase order by the contract vendor at their designated ordering location. If more time is needed, the bidder should state the extra time required and the reasons why, in their bid response. Acceptance will be subject to the Department's approval.

## **7) IN-STATE PREFERENCE FOR COMMODITY BIDS**

In accordance with Section 287.084, Florida Statutes, when the lowest responsible and responsive bid is submitted by a vendor whose principal place of business is located outside the state of Florida, a 5% price preference shall be awarded to the lowest responsible and responsive vendor whose principal place of business is located in the state of Florida unless the state where the out-of-state vendor is located provides a price preference for businesses having a principal place of business in that state. In that case, the same price preference shall be awarded to the lowest responsible and responsive vendor whose principal place of business is located in the state of Florida responding to this Invitation to Bid (ITB).

All bidders should complete the attached "In-State Preference Form" and submit with their bid response. A vendor whose principal place of business is located outside the state of Florida, must accompany their bid response documents with a written opinion of an attorney licensed to practice law in that foreign state, as to the preferences granted by that state to its own business entities in the letting of public contracts.

For the 5% preference, the Department will apply 5% to the bid price(s) of the lowest out of state vendor whose state does not grant a preference if that vendor has submitted the lowest responsible and responsive bid. The "In-State Preference" does not apply to transportation projects that use federal funds.

## **8) INTENDED AWARD**

As the best interest of the State may require, the right is reserved to make award(s) by individual item, group of items, all or none, or a combination thereof: on a geographical district basis and / or on a statewide basis with one or more suppliers to reject any and all bids or waive any minor irregularity or technicality in bids received. When it is determined there is competition to the lowest responsible bidder, evaluation of other bids is not required. Bidders are cautioned to make no assumptions, unless their bid has been evaluated as being responsive. All awards made as a result of this bid shall conform to applicable Florida Statute. If the Department is confronted with identical pricing or scoring from multiple vendors, the Department shall determine the order of award in accordance with section 295.187(4), Florida Statutes, and Rule 60A-1.011 Florida Administrative Code.

## **9) PRE-BID CONFERENCE: A PRE-BID CONFERENCE WILL NOT BE HELD.**

**10) ALTERNATES**

ALTERNATE BRANDS WILL NOT BE CONSIDERED FOR THIS BID. BID AS SPECIFIED.

**11) WARRANTY/SUBSTITUTIONS**

A warranty is required on all items purchased against defective materials, workmanship, and failure to perform in accordance with required industry performance criteria, for a period of not less than ninety (90) days from the date of acceptance by the purchaser. Any deviation from this criteria must be documented in the bid response or the above statement shall prevail. Delivery of substitute commodities requires prior written approval from the ordering location.

**12) REPLACEMENT/RESTOCKING**

Replacement of all materials found defective within the warranty period shall be made without cost to the purchaser, including transportation if applicable. All fees associated with restocking cancelled orders shall be the responsibility of the vendor.

**13) PRODUCT REQUIREMENTS/SPECIFICATIONS**

Items furnished shall be standard products of the manufacturer or their suppliers, shall be new, unused, clean, and free from any defects or features affecting appearance, serviceability, or the safety of the user in normal intended use.

Any deviation from specifications indicated herein must be clearly pointed out; otherwise, it will be considered that items offered are in strict compliance with these specifications, and successful bidder will be held responsible therefore. Deviations must be explained in detail on separate attached sheet(s).

**14) ACCEPTANCE**

All items listed in the specifications, delivered to the Department not meeting specifications or found to be poorly manufactured will not be accepted, but returned to the vendor, at their expense, for replacement. Replacement of all items found defective shall be made without cost to the Department, including transportation, if applicable. As it may be impossible for each facility to inspect all items upon arrival, a reasonable opportunity must be given to these facilities for inspection of the items, and returning those that are defective.

**15) REVIEW OF BIDDER'S FACILITIES & QUALIFICATIONS**

After the bid due date and prior to contract execution, the Department reserves the right to perform or to have performed, an on-site review of the bidder's facilities and qualifications. This review will serve to verify data and representations submitted by the bidder and may be used to determine whether the bidder has adequate facilities, equipment, qualified and experienced staff, and overall management capabilities to provide the required items. The review may also serve to verify whether the bidder has financial capabilities adequate to meet the contract requirements.

**Should** the Department determine that the bid package has material misrepresentations or that the size or nature of the bidder's facilities, equipment, management capabilities, or the number of experienced personnel (including technical staff) are not adequate to ensure satisfactory contract performance, the Department has the right to reject the bid.

## **16) PROTEST OF INVITATION TO BID SPECIFICATIONS**

Any person who is adversely affected by the contents of this Invitation to Bid must file the following with the Department of Transportation, Clerk of Agency Proceedings, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0450:

1. A written notice of protest within seventy-two (72) hours after the posting of the solicitation, (the notice of protest may be Faxed to 850-414-5264), and
2. A formal written protest in compliance with Section 120.57(3), Florida Statutes, within ten (10) days of the date on which the written notice of protest is filed.

Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

## **17) UNAUTHORIZED ALIENS**

The employment of unauthorized aliens by any contractor is considered a violation of Section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of the contract.

## **18) SCRUTINIZED COMPANIES LISTS**

Responses of \$1 million or more must include a completed [Vendor Certification Regarding Scrutinized Companies Lists](#) to certify the respondent is not on either of those lists. The Form should be submitted with the Price Proposal.

Section 287.135, Florida Statutes, requires that at the time a vendor submits a bid or proposal for a contract for goods or services of \$1,000,000 or greater, the vendor must certify that the company is not on Scrutinized Companies with Activities in the Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List.

For Contracts \$1,000,000 and greater, if the Department determines the Vendor submitted a false certification under Section 287.135(5) of the Florida Statutes, or if the Vendor has been placed on the Scrutinized Companies with Activities in the Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or the Scrutinized Companies that Boycott Israel List, the Department shall either terminate the Contract after it has given the Vendor notice and an opportunity to demonstrate the Department's determination of false certification was in error pursuant to Section 287.135(5)(a) of the Florida Statutes, or maintain the Contract if the conditions of Section 287.135(4) of the Florida Statutes are met.

## **19) RESERVATIONS**

The Department reserves the right to accept or reject any or all bids received and reserves the right to make an award without further discussion of the bids submitted. Therefore, the bidder should make sure that the bid package submitted is complete and accurate and submitted to ensure delivery on or before the bid opening time and date specified in this solicitation. It is understood that the bid will become a part of the Department's official file, without obligation to the Department.

## **20) ADDITIONAL TERMS & CONDITIONS**

No conditions may be applied to any aspect of the ITB by the bidder. Any conditions placed on any aspect of the bid documents by the bidder may result in the bid being rejected as a conditional bid (see

"RESPONSIVENESS OF BIDS"). **DO NOT WRITE IN CHANGES ON ANY ITB SHEET.** The only recognized changes to the ITB prior to bid opening will be a written Addenda issued by the Department.

**21) RESPONSIVENESS OF BIDS**

Bids will not be considered if not received by the Department **on or before** the date and time specified as the due date for submission. All bids must be typed or printed in ink. A responsive bid is an offer to provide the items specified in this Invitation to Bid in accordance with all requirements of this Invitation to Bid. Bids found to be non-responsive will not be considered. Bids may be rejected if found to be irregular or not in conformance with the specifications and instructions herein contained. A bid may be found to be irregular or non-responsive by reasons that include, but are not limited to, failure to utilize or complete prescribed forms, modifying the bid specifications, submitting conditional bids or incomplete bids, submitting indefinite or ambiguous bids, or executing forms or the bid sheet with improper and/or undated signatures. Other conditions which may cause rejection of bids include, evidence of collusion among bidders, obvious lack of experience or expertise to provide the required items, and failure to perform or meet financial obligations on previous contracts.

**22) REQUIRED DOCUMENTS**

The bidder must use the attached Bid Sheet to submit its bid. The Bid Sheet must be signed and dated in ink by a representative who is authorized to contractually bind the bidder. All bid sheets and other documentation submitted in response to this solicitation must be executed and submitted in a sealed envelope. **Indicate the bid number, with the time and date of the bid opening, on the envelope used to return the bid.**

**23) "DRUG-FREE WORK PLACE" PREFERENCE**

Whenever two or more bids which are equal with respect to price, quality, and service are received, the Department shall determine the order of award in accordance with section 295.187(4), Florida Statutes, and Rule 60A-1.011 Florida Administrative Code, which includes a preference for bid responses that certify the business has implemented a drug-free workplace program in accordance with Section 287.087, F.S. The "Drug-Free Workplace Program Certification" must be completed and submitted with the bid response to be eligible for this preference.

**24) COPYRIGHTED MATERIAL**

Copyrighted material will be accepted as part of a bid only if accompanied by a waiver that will allow the Department to make paper and electronic copies necessary for the use of Department staff and agents. It is noted that copyrighted material is not exempt from the Public Records Law, Chapter 119, Florida Statutes. Therefore, such material will be subject to viewing by the public, but copies of the material will not be provided to the public.

**25) ATTACHMENT TO ITB SUBMITTAL - CONFIDENTIAL MATERIAL**

The Bidder must include any materials it asserts to be exempted from public disclosure under Chapter 119, Florida Statutes, in a separate bound document labeled **"Attachment to Invitation to Bid, Number ITB-DOT-17/18-9013-KW - Confidential Material"**. The Bidder must identify the specific Statute that authorizes exemption from the Public Records Law. Any claim of confidentiality on materials the Bidder asserts to be exempt from public disclosure and placed elsewhere in the bid will be considered waived by the Bidder upon submission, effective after opening.

**26) MAIL OR DELIVER BIDS TO: (DO NOT FAX OR SEND BY E-MAIL)**

**Florida Department of Transportation**  
Central Procurement Office  
Katie Wagner, Procurement Agent  
605 Suwannee Street, MS 20 SW125  
Tallahassee, Florida 32399-0450  
Phone # (850) 414-4956

It is the bidder's responsibility to assure that the bid is delivered to the proper place **on or before** the Bid Due date and time (See Introduction Section 2, Timeline). Bids which for any reason are not so delivered will not be considered.

## **27) MODIFICATIONS, RESUBMITTAL AND WITHDRAWAL**

Bidders may modify submitted bids at any time prior to the bid due date. Requests for modification of a submitted bid shall be in writing and must be signed by an authorized signatory of the bidder. Upon receipt and acceptance of such a request, the entire bid will be returned to the bidder and not considered unless resubmitted by the due date and time. Bidders may also send a change in a sealed envelope to be opened at the same time as the bid. The ITB number, opening date and time should appear on the envelope of the modified bid.

## **28) POSTING OF INTENDED DECISION/AWARD**

### **28.1 - General:**

The Department's decision will be posted on the Florida Vendor Bid System at [www.myflorida.com](http://www.myflorida.com), (click on "BUSINESS", click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", on date and time in the Timeline, and will remain posted for a period of seventy-two (72) hours. Any bidder who is adversely affected by the Department's recommended award or intended decision must file the following with the Department of Transportation, Clerk of Agency Proceedings, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0450:

1. A written notice of protest within seventy-two (72) hours after posting of the Intended Award, (the notice of protest may be Faxed to 850-414-5264), and
2. A formal written protest and protest bond in compliance with Section 120.57(3), Florida Statutes, within ten (10) days of the date on which the written notice of protest is filed. At the time of filing the formal written protest, a bond (a cashier's check or money order may be accepted) payable to the Department must also be submitted in an amount equal to one percent (1%) of the estimated contract amount based on the contract price submitted by the protestor.

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

### **28.2 - Inability to Post:**

If the Department is unable to post as defined above, the Department will notify all bidders by electronic notification on the Florida Vendor Bid System (see special condition 28.1, above) or by mail, fax, and/or telephone. The Department will provide notification of any future posting in a timely manner.

### **28.3 - Request to Withdraw Bid:**

Requests for withdrawal will be considered if received by the Department, in writing, within seventy-two (72) hours after the bid opening time and date. Requests received in accordance with this provision will be granted by the Department upon proof of the impossibility to perform based upon obvious error on the part of the bidder. Bidders that do not withdraw as stated above will forfeit their bid bond, if applicable.

### **29) RECYCLED MATERIAL**

The Department encourages the use of products and materials with recycled content and post-consumer recovered materials. If the item(s) specified in the Technical Specification is available with recycled content, we request that you provide product information to help in our search for recycled products. However, this bid request is for the product as specified herein and does not require prices for recycled product. This information should be sent as part of your bid response or may be sent separately.

### **30) PRICE ADJUSTMENTS**

Price(s) shall remain firm for the life of the contract. Price adjustments will not be allowed.

### **31) DELIVERY LOCATION(S)**

Delivery must be made within thirty (30) calendar days or less upon receipt of a purchase order by the contract vendor at their designated ordering location. If more time is needed, the bidder should state the extra time required and the reasons why, in their bid response. Acceptance will be subject to the Department's approval.

Refer to Section 6.1 of specification for additional delivery requirements.

### **32) CANCELLATION**

All contract obligations shall prevail for at least one hundred and eighty (180) days after the effective date of the contract. For the protection of both parties, this contract may be cancelled in whole or in part after one hundred and eighty (180) days by either party giving thirty (30) days prior written notice to the other contract party. The contract may, also, be cancelled by the Department for nonperformance (default) in accordance with Rule 60A-1.006(3), F.A.C.

### **33) ORDERING INSTRUCTIONS**

Manufacturers are encouraged to bid direct naming dealers who will accept orders and complete deliveries. Bidders must include complete ordering instructions, including FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEID), for invoicing dealers, with the bid on a separate sheet.

### **34) ORDER QUANTITIES**

No minimum order quantities will be accepted. The Department will order as needed in the quantities needed

### **35) OPEN PURCHASE ORDERS**

The Department may, at its discretion, establish an open (estimated quantity) purchase order with the contract vendor(s) to facilitate the purchasing of materials. The purchase of materials may be placed by; (1) written purchase order, (2) telephone orders by authorized Department personnel, or (3) an itemized order in writing. The Department will supply the contract vendor(s) with a list of personnel authorized to order. Delivery of items on these open purchase orders shall not exceed the contract effective period.

### **36) INVOICING**

Invoices must match units specified on the Purchase Order.

### **37) FORMS**

The Bidder must complete all required items below and submit them as part of the Bid package. Any Bid in which these forms are not used or in which these forms are improperly executed may be considered non-responsive and the bid may be subject to rejection.

Bid Sheet

Drug-Free Workplace Program Certification (if applicable)

In-State Preference

Vendor Certification Regarding Scrutinized Companies Lists (Form 375-030-60) (proposals of \$1 million or more)

Certification of Recycled Content (if applicable)

Ordering Instructions

### **38) TERMS AND CONDITIONS**

#### **38.1 General Contract Conditions (PUR 1000)**

The State of Florida's General Contract Conditions are outlined in form PUR 1000, which is a downloadable document incorporated into this Invitation to Bid (ITB) by reference. Any terms and conditions set forth in this ITB document will take precedence over the PUR 1000 form where applicable.

<http://www.dms.myflorida.com/content/download/2933/11777/1000.pdf>

The following paragraphs do not apply to this Invitation to Bid:

Paragraph 31, Dispute Resolution - PUR 1000

Paragraph 40, PRIDE – PUR 1000, when federal funds are utilized.

#### **38.2 General Instructions to Respondents (PUR 1001)**

The State of Florida's General Instructions to Respondents are outlined in form PUR 1001, which is a downloadable document incorporated into this Invitation to Bid (ITB) by reference. Any terms and conditions set forth in this ITB document take precedence over the PUR 1001 form where applicable.

<http://www.dms.myflorida.com/content/download/2934/11780/1001.pdf>

The following paragraphs do not apply to this Invitation to Bid:

Paragraph 3, Electronic Submission – PUR 1001

Paragraph 4, Terms and Conditions – PUR 1001

Paragraph 5, Questions – PUR 1001

#### **38.3 MFMP Purchase Order Terms and Conditions**

All MFMP Purchase Order contracts resulting from this solicitation will include the terms and conditions of this solicitation and the State of Florida's standardized Purchase Order Terms and Conditions, which can be found at the Department of Management Services website at the following link:

[http://www.dms.myflorida.com/content/download/117735/646919/Purchase\\_Order\\_Terms\\_Sept\\_1,\\_2015\\_.pdf](http://www.dms.myflorida.com/content/download/117735/646919/Purchase_Order_Terms_Sept_1,_2015_.pdf)

Section 8(B), PRIDE, is not applicable when using federal funds.

### 39) **ORDER OF PRECEDENCE**

All responses are subject to the terms and conditions of this solicitation, which, in case of conflict, shall have the following order of precedence listed:

Special Conditions

Technical Specifications

Bid Sheet

MFMP Purchase Order Terms and Conditions – Section 8(B), PRIDE, is not applicable when using federal funds.

General Instructions to Respondents (PUR 1001)

General Contract Conditions (PUR 1000)

Introduction Section